

CIVIL DOCKET

BOHANON

73-C-145

UNITED STATES DISTRICT COURT

Jury demand date: 5-2-73 (Plaintiff)

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS					
BOBBY JOE CRAIG VS. SUN OIL COMPANY OF PENNSYLVANIA and WILLIAM R. CLAIBORNE		For plaintiff: Jack R. Givens (583-1115) ██████████ 1700 4th Natl. Bk. Bldg. Tulsa, Okla. 74119 Ray Painter, Jr. 932-4025 5219 E. 21st St. Tulsa, Oklahoma 74114 For defendant: Booth & Jay (212-9773) Frank R. Hickman 1419 S. Denver Tulsa, Okla. 74119 (Attorney for Claiborne) John J. Runzer (Sun Oil) & Jon Baughman 123 S. Broad St. Phila., Penn. 19109 Robert M. Dubbs (Sun Oil) 240 Radnor-Chester Road St. Davids, Penn. 19087 John A. Ladner (Sun Oil) P. O. Box 2039, Tulsa 74102					
STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.		
J.S. 5 mailed 6-1-73	Clerk	5-2-73	Givens	15 00			
		5-3-73	C.D.No.47		15 00		
J.S. 6 mailed 5-1-74	Marshal	5-3-74	Givens	5 00			
		5-9-74	C/D #44		5 00		
Basis of Action: Anti-trust and money jdgmt.	Docket fee						
	Witness fees						
Action arose at:	Depositions						

DATE	PROCEEDINGS	Date Order or Judgment Noted
5-2-73	Complaint filed, summons issued, jj <u>DEMAND FOR JURY TRIAL</u>	
5-10-73	Marshal's service returned and filed. Executed by serving summons/ on William R. Claiborne, 5-3-73 at Tulsa; and, Sun Oil Company of Pa., 5-4-73 at Okla. City. (USM \$8.44) jj	& complaint
5-21-73	Amended Complaint, filed. v	
5-23-73	Answer of Deft. <u>Claiborne</u> , including Cross Complaint filed. jj	
5-25-73	Certificate of Mailing the Amended Complaint, filed. v	
5-31-73	App. of def. Sun, for ext. of time to ans., filed. rm <i>Order to J</i>	
6-4-73	Order, filed, granting deft. Sun Oil Co. of Penn. until 7-1-73 to plead or answer. (LB-J)hm (copies mailed)	
6-8-73	Pltf's Appl for ext of time to plead or answer to Counterclaim, filed. r	
6-11-73	Order Extending Time to Plead or Answer to Counterclaim/ until July 8, 1973. filed. (LB-J)jj -copies mailed-	
6-28-73	Answer by Sun Oil Co. of Penn. to Amended Complaint, filed. v	
7-9-73	Pltf's answer to cross-complaint of William R. Claiborne, filed. hm	
7-18-73	Notice to produce documents, filed. hm	
7-24-73	Motion of deft. Claiborne for judgment on pleadings and alternative request, filed. hm	
7-24-73	Brief in support of motion, filed. hm	
9-26-73	Case called for hearing on Deft. Claiborne's motion for judgment on pleadings & alternative request. Court takes motion under advisement and will enter an order. (LB-J)hm	
10-9-73	Findings and recommendations of U. S. Magistrate, filed. (MLB-Mag)hm	
10-12-73	Order, filed, that deft. Claiborne's motion for judgment under R. 12(c) FRCP is denied without prejudice; that deft's motion requesting Ct. to strike parts of pltf's ans. to cross petition of deft. Claiborne is denied; that deft's motion to require pltf. to make ans. more definite and certain is denied. (LB-J)hm (copies mailed)	
10-26-73	Notice to produce documents, filed. hm	
11-26-73	Case set for pre-trial hearing 12-10-73 at 10:30 a.m. (LB-J)hm	
11-26-73	Response of Sun Oil Company of Pennsylvania to Notice to Produce Doc. filed by Pltf., filed. jj	
12-10-73	Case called for pre-trial hearing. Statements made. Counsel for deft. Claiborne renews, orally, motion for judgment on pleadings. Both defts. to file motions with supporting briefs within 30 days & Court to set for hearing. Pltf. given 10 days to respond to said motions. Pre-trial hearing passed. (LB-J)hm	
12-18-73	Defendant Claiborne's motion to elect and to make more definite, filed. ds	

(Continued)

DATE	PROCEEDINGS	Date Order or Judgment Noted
1-7-74	Deposition of Willis J. Craig, on behalf of defendants, taken by Frank L. Peterson on 9-26-73, filed. Pd by defendants, \$286.50. ds	
1-8-74	Deposition of Wm. Kenneth Davis, on behalf of Pltff., taken on 12-7-73, before Frank L. Peterson, CSR, with fees of \$139.50, filed. v	
1-10-74	Deft. Sun Oil Co.'s Filing of Depositions of Bobby Joe Craig, William Roy Claiborne, Jacky Carrol Fehrenbacher and Donald A. Brewer, filed. jj	
1-10-74	Mtn. by Deft. Sun Oil Co. of Pa. for Partial S/J, filed. jj	
1-10-74	Memo. in Support of Mtn. by Deft. Sun Oil Co. of Pa. for Partial s/j, filed. jj	
1-18-74	Motion for summary judg. of def. Wm. R. Claiborne, filed. rm	
1-18-74	Brief of def. Claiborne in support of mo/SJ, filed. rm	
1-18-74	Stipl. of pltf. and def. Sun for ext. of time to respond to mo/SJ, filed. rm	
1-28-74	Order granting extension of time to file response to motion for partial summary judgment, filed, granting until 2-9-74 for pltf. to file response. (LB-J)hm (copies mailed)	
2-1-74	Notice to take deposition of B.F. Pope, filed. v	
2-12-74	Pltff's response to motions for S/J and partial S/J, filed. hm	
2-12-74	Affidavit of Bobby Joe Craig in support of response to motions for S/J and partial S/J, filed. hm	
2-12-74	Pltff's brief in support of response to motions for S/J and partial S/J, filed. hm	
2-12-74	Affidavit of Jack R. Givens in support of response to motions for S/J and partial S/J, filed. hm <i>reentered</i>	
3-1-74	Deposition of Bill F. Pope, taken for plaintiff, by Frank L. Peterson on 2-6-74, filed. \$78.00 pd by plaintiff. ds	
4-1-74	Hearing held on deft. Claiborne's motion to elect & to make more definite; deft. Claiborne's motion for S/J and deft. Sun Oil's motion for partial S/J. Statements made. All depositions and all testimony taken in State Court may be considered by the Court. Court takes ruling on all motions under advisement. Pltff. given 10 days to file affidavit and defts. 10 days ^{thereafter} to respond. (LB-J)hm (Mr. Jon Baughman admitted for purposes of this case)	
4-22-74	Summary judgment, filed and entered, that motions of defts. Sun Oil Co. of Pa. and William R. Claiborne for S/J be granted and judgment be entered in favor of defts. at the cost of the pltf. & that deft. Claiborne's cross-complaint be dismissed without prejudice. (LB-J)hm (copies mailed)	
4-25-74	on costs Bill of Costs, filed. Hearing/to be held on May 9, 1974 at 10:00A.M. before Jack C. Silver, Clerk. jj	
5-3-74	Plaintiff's objection to bill of costs, filed. g	

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DATE	PROCEEDINGS	Date Order or Judgment Noted
5-3-74	Notice of appeal by plaintiff, filed. g copies to USCA & counsel.g	
5-3-74	Bond(\$250 cash) on appeal, filed. g	
5-9-74	Application for Fee of Attys for deft., filed. e	
5-9-74	Bill of Costs, filed. Costs taxed in the amount of \$95.50 against pltf., Bobby Joe Craig. (JCS-Clerk) e	
5-29-74	Pltf's objection to application for attorneys' fee and brief in support thereof, filed. hm	
5-30-74	Appeal record (2 vols.) transmitted to USCA. rm	
10-1-75	MO: Case set for status report & disposition, re appl. for atty fee for 9:30 a.m., Tuesday, 11/4/75. (LB-J)rm-notices	
11-4-75	Case called for status report. Parties rep. by counsel of record. Mr. Hickman announces that Mandate has not been filed in case, and that Petition for Rehearing was filed in 10th Cir. Case passed pending filing of Mandate in this Court.(LB-J)rm (F.Sickles-CR)	
1-26-76	Mandate and opinion of USCA, affirming judgment of 4/22/74, filed and spread of record. rm	
1-26-76	Statement of costs from USCA, in amt. of \$68.25, filed and taxed in favor of defs.-appellees, Sun Oil. rm	
1-26	Appeal record (2 vols) received from USCA.rm	
2-3	Letter, filed, from LB to deft counsel granting them to respond in 10 days from 2/2/76 to pltf. obj. to appl. for atty fee.(B-J)rm	
3-5	MO: Pursuant to letter to the Ct. from Frank Hickman, counsel for def. Claiborne, the appl. of defendants for attorneys fee is moot.(LB-J)rm (parties notified by phone)	
6-16	Copy of letter from 10th Circuit, advising that Petition for Writ of Cert. to Supreme Court was filed on 6/7/76 and assigned Supreme Court No. 75-1777. rm	
10-26-76	Copy of letter from 10th Circuit, received, that petition for cert. was denied on 10/4/76. rm	
12-8-76	Motion of def. Sun Oil for payment of costs taxed by Circuit out of cash bond funds on deposit with Clerk, filed. rm to LB	
12-16-76	Order, filed, that Clerk is directed to pay to Sun Oil the sum of \$68.25 out of cash appeal bond, as costs taxed by 10th Circuit.(LB-J)rm copies mailed	
1-21-83	APPLIC of pltf for order directing clk to pay over cost(\$181.75) (O to J)a	
1-24	ORDER authorizing and directing Clerk to pay over funds in the amt of \$181.75 remaining on deposit to Jack R. Givens, atty of pltf. (HDC-J) ck mailed by Clerk of the Court.bv	
8-19-92	ORDER directing Ct Clk re: Reg Ck #1903 & deposit into unclaimed Monies. (JOE-J)jc(see order for details)	